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November 16, 2004

VIA ELECTRONIC FILING

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Notice of Ex Parte Presentation in CC Docket Nos. 96-45 – Petition of TracFone
Wireless, Inc. for Designation as an Eligible Telecommunications Carrier in the
State of Florida

Dear Ms. Dortch:

On November 9, 2004 the Honorable Jeb Bush, Governor of the State of Florida sent a letter to Chairman Michael K. Powell in support of the petition for TracFone Wireless, Inc. (TracFone) for designation as an Eligible Telecommunications Carrier in the State of Florida. Copies of that letter were sent by Governor Bush to each of the other Commissioners, their legal advisors, and to Jeffrey Carlisle, Chief, Wireline Competition Bureau as well as members of the Wireline Competition Bureau staff. A complete list of the recipients of Governor Bush's letter is attached to that letter.

Pursuant to Section 1.1206(b) of the Commission's Rules, this notice is being filed electronically in the above-captioned docket. If you have any questions regarding this matter, please feel free to contact undersigned counsel for TracFone.

Sincerely,



Mitchell F. Brecher

enclosure



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

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850-488-7146
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November 9, 2004

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: CC Docket No. 96-45 Petition of TracFone Wireless, Inc. for Designation
as an Eligible Telecommunications Carrier in the State of Florida

Dear Chairman Powell:

TracFone Wireless, Inc., a provider of prepaid wireless telecommunications services headquartered in Miami, Florida, has petitioned the Commission for designation as an Eligible Telecommunications Carrier in the State of Florida. TracFone has also asked the Commission to forbear from application or enforcement of Section 214(e)(1)(A) of the Communications Act which requires that Eligible Telecommunications Carriers provide service either using their own facilities or using their own facilities and resale of other carriers' services. TracFone seeks to be designated as an Eligible Telecommunications Carrier so that it can offer low-income consumers in Florida an opportunity to acquire affordable wireless telephone service.

On behalf of the citizens of the State of Florida, I strongly encourage the Commission to grant TracFone's petitions at the earliest opportunity. TracFone has proposed to utilize support from the federal Universal Service Fund to offer low-income consumers eligible to participate in the Lifeline program a state-of-the-art full-featured wireless service offering at a very affordable rate.

In Florida, the federal Lifeline program is vastly underutilized. According to Commission data, only 13.5 percent of Florida's nearly 1.1 million eligible households participate in the Lifeline program. If granted Eligible Telecommunications Carrier status, I am confident that TracFone could significantly increase the level of Florida consumers' participation in Lifeline. Moreover, TracFone's Lifeline service would bring to Florida consumers the convenience, flexibility and security of wireless service.



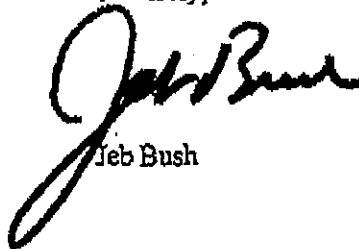
Governor's Mentoring Initiative
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Chairman Michael K. Powell
Federal Communications Commission
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In view of the recent developments in the nation's telecommunications policy and the dramatic advances in communications technology, I have given great thought to how we can best provide affordable and modern means of communications to all our citizens, including the most disadvantaged. Rather than tying the availability of Lifeline to the outdated wireline services, our nation should be looking ahead to bridging the technological divide that prevents our poorest citizens from participating fully in the benefits of our amazing technological advances.

If the FCC designates a wireless carrier such as TracFone to be an Eligible Telecommunications Carrier, our citizens' access to affordable telecommunications services would no longer be limited to their homes. Job seekers could be reached by potential employers; parents would be able to know the whereabouts of their children, and participating consumers would have E-911 access from anywhere at any time. As you are aware, Florida has recently suffered four hurricanes over a period of several weeks. As a result of those hurricanes, many of our citizens lost their homes and their wireline telephone service. Those persons without wireless phones (including many low income residents) were unable to communicate for many days. These recent events demonstrate the importance of affordable wireless telecommunications service for all of our citizens. These are important benefits to the citizens of our state and I hope that you will give TracFone's proposal the favorable consideration that it deserves.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeb Bush", written over a horizontal line.

Jeb Bush

cc: attached list

FCC Commissioners:

The Honorable Michael K. Powell, Chairman
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